REMARKS

The Office action mailed September 4, 2002, has been received and its contents carefully noted. Claims 52-59, 61, 64, 65, 67-84, and 93 were pending. Claim 59 was allowed, claims 81-84 were withdrawn from consideration, and claims 52-58, 61, 64, 97-80, and 93 were rejected. By this amendment, claim 61 has been amended and claims 94-98 have been added. Support may be found in the specification and claims as originally filed. No statutory new matter has been added. Reconsideration is respectfully requested.

Rejection under 35 U.S.C. 102(b)

The Examiner rejected claims 52, 61, 64, 67-80, and 93 under 35 U.S.C. 102(b) as being anticipated by Masuyama *et al.* (U.S. Patent No. 6,410,685). Specifically, the Examiner deemed that Masuyama *et al.* relates to a method for reducing stress comprising an antistress agent that can comprise tripeptide, Val-Pro-Pro, and that the antistress agent may be used in an amount from 0.001 to 0.1 wt%.

Applicants respectfully submit that Masuyama *et al.* do disclose a method for reducing stress comprising administering a tripeptide antistress agent. The only tripeptides specifically identified are Ile-Pro-Pro, Val-Pro-Pro, and salts thereof. The tripeptide of Masuyama *et al.* is required to have angiotensin converting enzyme inhibitor activity. Masuyama *et al.* contemplate that the antistress agent may be part of a food material, such as milk casein, wheat protein, corn protein, and soybean protein, containing a peptide or protein which includes the tripeptide sequence identified. In Masuyama *et al.* the tripeptide is the antistress agent.

In the present invention as claimed, the antistress agent selected from the group consisting of glucocorticoid inhibitors, corticotropin reducing hormone inhibitors, ACTH inhibitors, cholecystokinin inhibitors, benzodiazepines, gamma amino butyric acid potentiators, antiglutaminergics, and serotonergics. Masuyama *et al.* do not disclose or suggest ***a combination*** comprising at least one of the antistress agents identified ***and*** an amino acid such as valine, leucine, and isoleucine as presently claimed. Likewise Masuyama *et al.* do not disclose or suggest ***a combination*** comprising two antistress agents ***and*** an amino acid such as valine, leucine, and isoleucine as claimed. Additionally, nowhere do Masuyama *et al.* teach or suggest these compositions which further comprise vitamin C, performance enhancing antibiotics, and oligosaccharides. Therefore, Applicants respectfully submit that Masuyama *et al.* do not teach

each and every element of the present invention as claimed. Consequently, the present invention is not anticipated and the rejection under 35 U.S.C. 102(b) should properly be withdrawn.

The Examiner also rejected claims 52-58 under Riniker *et al.* (U.S. Patent No. 3,755,286). Specifically, the Examiner deemed that Riniker *et al.* teaches compositions selected from corticotropins and amino acids such as L-leucine and L-valine for ACTH activity and that these peptides have a stronger or longer lasting ACTH-activity than corresponding peptides that contain the natural first three amino acids.

Applicants respectfully submit that Riniker *et al.* discloses gly-β-cortocotropin in which the natural first three amino acids are replaced by a number of other amino acids including norvaline and norleucine. ***The cortocotropin of Riniker et al. is an ACTH active peptide.*** These ACTH active peptides stimulate the production of adrenal cortex steroids, which principally include cortisol and corticosterone. In contrast, however, ***the antistress agents of the present invention are inhibitors of the ACTH active peptides***, rather than the active peptides themselves. Thus, Riniker *et al.* actually teach away from the present invention. More importantly, nowhere do Riniker *et al.* teach or suggest the antistress agent as claimed or even a composition comprising at least one antistress agent in combination with at least one amino acid selected from the group consisting of valine, leucine, and isoleucine. Since Riniker *et al.* do not teach each and every limitation of the present invention as claimed, the rejection under 35 U.S.C. 102(b) should properly be withdrawn.

Request for an Interview

Should there by any remaining issues after entry of the amendment and consideration of the remarks herein, Applicants respectfully request either an in-person interview or a telephonic interview with the Examiner.

Conclusion

Accordingly, in view of the foregoing amendments and remarks, the Examiner is respectfully requested to reconsider and withdraw the rejection of the claims to allow these claims and to find this application to be in allowable condition.

Attached hereto is a marked-up version of the changes made and claims by the current amendment and a substitute specification is attached in clean form as well as a marked up version. The attached page is captioned "**VERSION WITH MARKINGS TO SHOW CHANGES MADE**".

Respectfully submitted,
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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Please amend claim 61 as follows:

61. (Twice amended) A composition according to claim 52 wherein the [amino acid is] composition comprises valine, leucine, [or] and isoleucine.